

REMARKS

Entry of the above amendments is respectfully requested. Claims 1-18 were originally pending and rejected in the Office Action. Claims 1, 2 and 11 have been amended. Claims 10 and 15 have been cancelled. Claims 1-9, 11-14, and 16-18 are now pending in the application. Favorable reconsideration and allowance of this application is respectfully requested in light of the foregoing amendments and the remarks which follow.

1. Drawings

The drawings are objected to under 37 CFR 1.84(p) because reference character 39 has been used in Paragraph 25 to designate both the horizontal extending base and the floor. In Paragraph 25, the specification states that a horizontally extending base 39 provides a floor for the trailer 20. Applicant believes this language is sufficient to later describe a floor 39. Nevertheless, Paragraph 25 has been amended to recite “the floor provided by base 39”.

The drawings are objected to under 37 CFR 1.84(p) because reference character 42 has been used in Paragraph 28 to designate both the rack and ceiling. Paragraph 28 has been amended to recite a rack “45”. Figs. 4 and 5 have also been amended to replace reference numeral “42” with “45” to identify the rack.

The drawings are objected to under 37 CFR 1.84(p) because reference character 46 has been used in Paragraph 28 to designate both the front end and rear ends. Paragraph 28 has been amended to clarify that the front end is identified by reference numeral “44” and that the rear end is identified by reference numeral “46”. This is consistent with Fig. 2.

The drawings are objected to under 37 CFR 1.84(p) because reference character 140 has been used to designate the housing and the tool head in Paragraph 41. Paragraph 41 has been amended to recite tool head 140 and its associated tool.

The drawings are further objected to because reference character “42” in Fig. 12 needs to be changed to “142”. Fig. 12 has been so amended.

The drawings are further objected to because reference character “51” is not shown in the Figures. Fig. 4 has been amended to identify the first side wall “51” of desk 55.

The drawings are further objected to because reference characters 34 (Fig. 1), 36 (Fig. 1), and 129 (Fig. 11) are not mentioned in the description. Fig. 1 has been amended to remove reference numerals “34” and “36” and Paragraph 37 of the specification has been amended to identify spring member 129.

Applicant asserts that all objections to the drawings have been overcome, and withdrawal of the objection to the drawings is therefore respectfully requested.

2. Specification

Applicant has amended Paragraphs 25, 28, 37, and 41 as noted above. Additional amendments have been made to the specification for the purposes of form and clarity. Applicant asserts that all amendments to the specification are fully supported by the original disclosure, and that no new matter has been added by way of these amendments.

3. Abstract

The Abstract is objected to because the language should be clear and precise and should not repeat information given in the title. It should further avoid phrases which can be implied. Applicant has reviewed the Abstract, and was unable to identify grounds for the objection. Applicant respectfully requests that the Examiner specifically identify the portion of the Abstract that is deemed improper. Otherwise, Applicant asserts that the Abstract is proper as originally filed, and withdrawal of the objection is respectfully requested.

4. Claim Rejections under 35 USC § 103

Prior to addressing the individual claim rejections, Applicant will first provide a summary of the cited Dubuc document, and compare Dubuc to the present application. The specific claim rejections will then be discussed.

Dubuc discloses a utility trailer related to the fabrication of solid surface construction materials (Col. 1, lines 17-20), which includes, for example, Corion, Fontainhead, and other materials for use as a countertop surface (Col. 1, lines 23-31). Dubuc recognizes a problem in the traditional fabrication of such materials. Specifically, a process of “templating” involves using a disposable material and creating a template, and transporting the template to an offsite fabrication shop to cut

the solid surface material stock as required. The fabricated solid surface material is then transported back to the worksite and installed. Unfortunately, errors exist in this process, and the fabricated solid surface material often requires further fitting (Col. 1, lines 39-60). The inconvenience is said to dissuade a customer from purchasing and installing such solid surface materials.

As a result, Dubuc discloses a trailer provided with the equipment necessary to fabricate final solid surface construction products (Col. 2, lines 8-10). Specifically, the solid surface material stock can be brought to the worksite and fabricated on location as opposed to bringing a template back to an offsite shop where fabrication is carried out (Col. 2, lines 44-49). Dubuc's trailer includes a trailer having a workbench 26, and slot compartments 25 and 27 for storing particle board stock and solid surface material stock (Col. 11, lines 16-18). The fabrication process involves bringing the trailer to the worksite, and forming a template directly on the solid surface material (i.e., marking directly on the solid surface material), and cutting, while in the trailer, the solid surface material according to the template laid out thereon (Col. 11, lines 52-65). As a result, the need for a conventional temporary template is obviated (and "virtually eliminated") (Col. 11, line 66-Col. 12, line 2).

Dubuc thus relates to a specific industry, namely the fabrication and installation of a specific product (solid surface construction materials) that benefits from avoiding the templating process. Dubuc thus very clearly teaches away from utilizing a mobile fabrication system for the purposes of creating and finalizing a prototypical template that can then be duplicated during mass production at an offsite fabrication location.

Applicant is not, in the present invention, attempting to protect the broad concept of a mobile studio capable of manufacturing a product, nor is Applicant attempting to protect a broad method of fabricating a product in a mobile studio. Rather, the present invention is concerned with a specific industry that benefits from a unique apparatus and method usable for mass-production, namely the fabrication of prototypical POP displays (Paragraph 5) for mass production. The independent claims, as amended, thus include limitations specific to these objectives, as will now be described.

A. Claims 1, 3, 4, and 6-10

Claims 1, 3, 4, and 6-10 are rejected as under 35 USC 103(a) as being unpatentable over Dubuc in view of Barco.

Claim 1:

The Office Action cites Dubuc as teaching everything recited in independent claim 1, with the exception of the “computer executing...” limitation, which is said to be disclosed by Barco.

Claim 1 has been amended to more clearly recite that the mobile studio is for fabricating, at a customer’s site, a prototypical product of at least one of point-of-purchase displays and packaging to be mass-produced.

As noted above, Dubuc discloses a utility trailer for fabricating a final product to be installed at the customer’s location in a custom installation. Dubuc, in fact, teaches away from providing a mobile studio for fabricating a prototypical product for mass production as claimed, which is not custom installed at the customer’s location. In the present invention, the only reason for designing and fabricating the prototype at the customer’s location is to facilitate communication between the user of the studio and the customer.

Dubuc uses a utility trailer in an industry whereby the user of the tooling needs to take the measurements and collect the data necessary to fabricate the finalized product, as the unskilled customer would not be able to reliably provide the operator of the fabrication equipment in the mobile studio with the necessary accurate measurements of dimensions. As a result, Dubuc’s mobile studio capitalizes on the fact that the person fabricating the product has to travel to the customer’s location to take the measurements and install the product anyway, and that the process can be streamlined by producing the product on-site. Moreover, once the product is fabricated, the usefulness of the mobile studio ceases as the product is only fabricated once.

The present invention of claim 1 relates to a mobile studio used in an industry whereby the customer, not the user of the studio, provides design instructions. One would not be motivated, based on the teachings of Dubuc, to provide a mobile design studio that travels to the customer’s site based on Dubuc, which teaches that the user of the tooling, not the customer, takes the necessary measurements.

Moreover, the present invention of claim 1 relates to a mobile studio used for designing a product for mass production. Accordingly, once the prototype design is

finalized on-site, the design is forwarded to an offsite location for mass production. One would not be motivated, based on the teachings of Dubuc, to provide a mobile studio that travels to a customer's location to fabricate a product that is to be mass-produced at a manufacturing facility, especially in light of the fact that the initial design instructions are received from the customer (as now recited in claim 1 as amended) and there is no installation required at the customer's facility.

While Barco is certainly suitable for fabricating paperboard products, no teaching or suggestion exists in the prior art to combine Barco with Dubuc for the purposes of cutting paperboard product in the studio as recited in claim 1.

Specifically, one skilled in the art would not combine Barco with Dubuc because Barco would be unsuitable for cutting solid surface materials of the type fabricated by Dubuc's studio. Accordingly, any suggestion of combining Barco with Dubuc would necessarily be based on impermissible hindsight in identifying the advantages realized by the presently claimed invention, namely the recognition of the usefulness of fabricating a prototype product, that will be mass-produced, at a customer's location when the customer provides the design instructions.

Moreover, even if Barco and Dubuc were combined in the manner suggested in the Office Action, the combination would fail to produce the present invention as claimed. Specifically, Dubuc fails to teach or suggest a computer executing a stored program for designing the prototypical product pursuant to the design instructions from the customer. Barco discloses a computer that is capable of executing a stored program, however 1) a skilled artisan would not combine Barco with Dubuc for the reasons noted above, and 2) even if the reference were combined, the combination would not produce a computer executing a stored program for designing the prototypical product pursuant to design instructions from the customer.

Claim 2:

Dependent claim 2 recites an additional improvement over Dubuc, namely that the studio enclosure retains a communications device for receiving design instructions from the customer.

The Office Action, when discussing claim 11 of the present application, recognizes that Dubuc fails to disclose a communications device disposed inside the enclosure for the purposes of receiving design instructions. The Office Action instead

cites Mostashari as teaching a telephone and facsimile machine disposed in a mobile enclosure (Col. 4, lines 60-65). However, Mostashari is concerned with a mobile office suitable for a businessperson and not a manufacturer. Accordingly, Mostashari fails to teach or suggest the use of a communications device in a mobile enclosure for the purposes of receiving design instructions. Dubuc likewise fails to teach or suggest the inclusion of such a communications device. In fact, Dubuc teaches away from the claimed communications device because the operator of Dubuc's mobile system travels to the customer location to measure the necessary dimensions of the product prior to commencing with the cutting and sanding operations.

One skilled in the art would therefore not be motivated to provide a communications system inside the mobile enclosure for the purposes of receiving design instructions. Moreover, such a combination would not produce a reasonable expectation of success, as the unskilled customer would not be able to reliably provide the operator of the fabrication equipment in the mobile studio with accurate measurements of dimensions necessary to produce the finalized product.

Furthermore, claim 2 recites that the communications devices receives the design instructions used by the tooling and table to produce the prototypical product. Accordingly, even if Barco's computer were installed in Dubuc's mobile studio, neither reference (including Mostashari) provides any teaching or suggestion to operate the computer pursuant to instructions received over the communications device. Any suggestion to do so would necessarily be based on improper hindsight in identifying the advantages realized by the presently claimed invention.

For these reasons, Applicant asserts that the combination of Mostashari, BARCO, and Dubuc is improper and furthermore, even if the references were combined in the manner suggested by the Office Action, the combination would fail to produce the present invention as claimed. Accordingly, withdrawal of the rejection of independent claim 1, and corresponding dependent claims 2-4 and 6-9 is respectfully requested. Claim 10 has been cancelled.

B. Claim 5

Claim 5 is rejected as being unpatentable over Dubuc in view of Barco and further in view of Schorr. Applicant asserts the allowability of independent claim 1 as

providing sufficient basis for the patentability of claim 5. Withdrawal of the rejection of claim 5 is therefore respectfully requested.

C. Claims 11-18

Claims 11-18 are rejected as being unpatentable over Dubuc in view of Barco and further in view Mostashari.

Applicant asserts that the combination of references fails to teach or suggest the steps recited in independent claim 11. Specifically, claim 11 recites a method that includes steps specific to fabricating a prototypical product that is to be mass-produced. As noted above, Dubuc teaches away from such a fabrication process, and Barco and Mostashari fail to motivate one skilled in the art to modify Dubuc as presently claimed.

For instance, claim 11 recites the step of (B) receiving design instructions from the customer which, as discussed above with respect to claim 1, is not taught or suggested anywhere in the prior art. Furthermore, claim 11 now recites the steps of (E) providing modification instructions to produce a second product, (F) programming the table with the modification instructions, and (G) operating the table to produce a paperboard product pursuant to the modification instructions. Moreover, claim 11 now recites the steps of (H) determining final design instructions once the prototype has been finalized, and (I) communicating the final design instructions to a manufacturing facility for mass-production. Dubuc fails to teach or suggest each of these steps. Rather, once a product has been successfully fabricated in the Dubuc's studio while at the customer's location, the product can be installed and the fabrication process is completed without having to forward design instructions to an offsite fabrication shop. Dubuc thus teaches that the usefulness of a fabrication studio is in the ability to avoid the need to fabricate templates and, instead, to deliver a finished product on-site. In the present invention of claim 11, on the contrary, the successful fabrication of a product at the customer's location is only one step in a process that culminates in mass production of the product at a manufacturing facility. Claim 11 recognizes the advantages realized by streamlining a templating process, rather than avoiding it. In this regard, it is appreciated that claim 11 recites the very templating steps that Dubuc seeks to avoid.

Dubuc thus teaches away from the steps of fabricating a prototype, modifying a prototype, and communicating design instructions to a manufacturing facility once a

final design has been realized. Neither Barco nor Mostashari overcome the deficiency of Dubuc. Specifically, Barco merely discloses tooling usable for fabricating paperboard product. Mostashari is of little relevance to pending claim 11, as the "communicating" steps are not limited to the use of a communications device inside the mobile studio. Furthermore, as noted above, even if Mostashari were combined with Dubuc and Barco, the combination would produce a telephone or facsimile machine in Dubuc's studio. No teaching or suggestion would exist in the combination of references to perform any of steps (E) through (I) in claim 11.

Because the prior art teaches away from the steps recited in claim 11 and because the prior art fails to teach or suggest each element recited in claim 11 even if the prior art were combined in the manner suggested by the Office Action, Applicant asserts that claim 11, and corresponding dependent claims 12-14 and 16-18 are allowable over the cited prior art. Claim 15 has been cancelled. Withdrawal of the rejection is therefore respectfully requested.

5. New Claims

Applicant has added new claim 19, which depends from claim 11 and recites that the modification instructions are received from the customer. Nothing in the prior art teaches or suggests arriving at an initial design based on design instructions from the customer, and then modifying the initial design based on instructions from the customer. As noted above, in Dubuc, the user of the fabrication studio makes the initial measurements, and finalizes the product. Furthermore, nothing exists in Barco or Mostashari to modify Dubuc as claimed. Formal allowance of claim 19 is therefore respectfully requested.

6. Conclusion

Applicant therefore respectfully asserts that all rejections and objections cited by the Examiner have been overcome. Accordingly, the application is in condition for allowance, and a Notice of Allowance is earnestly solicited. The Examiner is invited to contact the undersigned at the telephone number appearing below if such would advance the prosecution of this application.

The Commissioner is hereby authorized to deduct the \$120 fee for a one-month extension of time, along with any additional fees arising as a result of this Amendment or any other communication, from Deposit Account No. 17-0055.

Respectfully submitted,
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IN THE DRAWINGS

Replacement Sheets 1, 4, 5, and 10 are enclosed bearing amended Figs. 1, 4, 5, and 12. Specifically, Fig. 1 has been amended to remove reference numerals "34" and "36". Figs. 4 and 5 have been amended to replace reference numeral "42" with "45". Reference numeral "51" has been added to Fig. 4. Fig. 12 has been amended to replace reference numeral "42" with "142".